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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

PAULA LABRIE, ALFREDO MACIAS,
PETER MILLMAN, TOM CHORTABTIM,
RAF SISON,

Plaintiffs,

vs.

UPS SUPPLY CHAIN SOLUTIONS, INC.,

Defendant.

CASE NO. 3:08-CV-03182 PJH

**[PROPOSED] ORDER DENYING
PLAINTIFFS' MOTION FOR
CONDITIONAL CLASS
CERTIFICATION AND NOTICE**

Date: March 18, 2009
Time: 9:00 a.m.
Judge: Honorable Phyllis J. Hamilton
Courtroom: 3, 17th Floor

LEGAL_US_W # 60884782.1

CASE NO. 3:08-CV-03182 PJH

**[PROPOSED] ORDER DENYING PLAINTIFFS'
MOTION FOR CONDITIONAL CLASS
CERTIFICATION & NOTICE**

1 On March 18, 2009, this matter came on for hearing before this Court, the Honorable
2 Phyllis J. Hamilton presiding, on the Motion for Conditional Class Certification and Notice filed
3 by Plaintiffs.

4 This Court, having read and considered the moving and responding papers and the oral
5 arguments presented, and the matter having been duly heard,

6 IT IS HEREBY ORDERED THAT:

7 Plaintiffs' motion for conditional certification of an FLSA collective action and approval
8 of notice is DENIED. Plaintiffs have failed to demonstrate that they are similarly situated to the
9 individuals whom they seek to include in an FLSA collective action.

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11 DATED: _____, 2009.

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13 THE HONORABLE PHYLLIS J. HAMILTON
14 U.S. DISTRICT JUDGE
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